

DT07 Rec'd PCT/PTO 10 DEC 2004

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:

Applicant: DÜRING, et al.

Application No.: 10/500,264

Date Filed: 18 June 2004

Title: METHOD OF INCREASING
THE TRANSGENE-CODED
BIOMOLECULE CONTENT
IN ORGANISMS

Docket No.: 4121-168 RECEIVED
Conf. No.: 9836 CENTRAL FAX CENTER
Customer No.: DEC 10 2004

23448

FACSIMILE TRANSMISSION CERTIFICATE

Attention: Lamont M. Hunter

Fax No. (703) 872-9306

I hereby certify that this document is being filed in the United States Patent and Trademark Office, via facsimile transmission to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on December 10, 2004, to United States Patent and Trademark Office facsimile transmission number (703) 872-9306.

4

Number of Pages (including cover)

Marianne Fuierer
Marianne Fuierer

December 10, 2004

Date

SUPPLEMENT SUBMISSION IN U.S. PATENT APPLICATION NO. 10/500,264

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submitted an executed Declaration and Power of Attorney for the above-identified U.S. patent application on December 8, 2004 and a credit card payment form authorizing payment to the Commissioner for Patents in the amount of \$65.00 in payment of the Declaration

late filing fee. However, applicants inadvertently did not include a copy of the Notice of Missing Requirements under 35 USC 371. As such, applicants attached hereto a copy of the Notice of Missing Requirements to augment applicants' filing of December 8, 2004.

Respectfully submitted,



Marianne Fuierer
Attorney for the Applicants
Registration No. 39,983

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,264	Klaus During	4121-168

Steven J. Hultquist
Intellectual Property/Technology Law
Po Box 14329
Research Triangle Park, NC 27709

RECEIVED
OCT 14 2004
14-11

INTERNATIONAL APPLICATION NO.	
PCT/EP02/14512	
LA. FILING DATE	PRIORITY DATE
12/18/2002	12/19/2001

CONFIRMATION NO. 9836

371 FORMALITIES LETTER



OC000000014041657

Date Mailed: 10/08/2004

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/18/2004
- Copy of the International Search Report filed on 06/18/2004
- Copy of IPE Report filed on 06/18/2004
- Preliminary Amendments filed on 06/18/2004
- Oath or Declaration filed on 06/18/2004
- Small Entity Statement filed on 06/18/2004
- Request for Immediate Examination filed on 06/18/2004
- U.S. Basic National Fees filed on 06/18/2004

Resp Due:
12/8/04
DH
2/2/05

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,264	PCT/EP02/14512	4121-168

FORM PCT/DO/EO/905 (371 Formalities Notice)